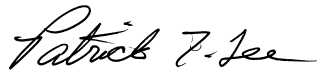


STAFF REPORT AND RECOMMENDATION TO THE CLARK COUNTY PLANNING COMMISSION

TO: Clark County Planning Commission

FROM: Patrick Lee, Long Range Planning Manager



PREPARED BY: Evan Dust, Senior Transportation Planner (Ext. 4913)
Bob Higbie, Assistant Long Range Planning Manager (Ext. 4113)

SUBJECT: **Interchange Area Policy (T2001-005)**

DATE: August 2, 2001

SUMMARY

Interchanges represent a major investment in the transportation system. Addition of interchanges to a roadway or improvements to existing interchanges are designed to have a dramatic effect on accessibility. Accessibility improvements trigger land use change requests that may impair interchange operations in the applicant's attempt to maximize the locational advantage provided by the interchange.

At this time a new interchange is being proposed at Interstate 5 (I-5) at approximately NE 219th Street. Similarly, major interchange improvements are being proposed at I-5 and NE 134th Street. Changes in access or granting new access onto the federally-controlled interstate highway system requires a determination of land use plan consistency by the local jurisdiction. The existing Clark County *Comprehensive Plan* does not address new or substantially-improved interchanges. With the "silence" of the *Comprehensive Plan*, it is difficult to assess a proposed interchange or substantial interchange improvement for land use plan consistency. To reach some level of plan consistency, Clark County desires to enact a comprehensive plan policy to address new or substantially-improved interchanges. The proposed policy would manage the demand for interchange-related land use change by requiring those requesting such

changes to specifically address and mitigate¹ the impact of such land use changes on the capacity and function of the interchange.

BACKGROUND

The *I-5/I-205 North Corridor Study*, prepared by Parsons-Brinckerhoff for Washington State Department of Transportation, indicates there is no comprehensive plan policy that would help guide staff in understanding when a new or proposed interchange or interchange improvements are consistent with the adopted comprehensive plan.

Adoption of policy is needed to recognize the impact very large investments of public funds in interchanges have on transportation accessibility and requests for land use changes. This pattern is clearly recognized in the literature reviewed by staff. The following graphic (Figure 1) illustrates the relationships triggered by transportation

investment. This relationship is "played out" with major transportation facilities, like interchanges, by a large volume of inquiries and/or applications for land use changes in the vicinity of major transportation investments. For example, the transportation funding decision for the west end of the Padden Parkway triggered at least one successful land use change application at its terminus (from residential to commercial).

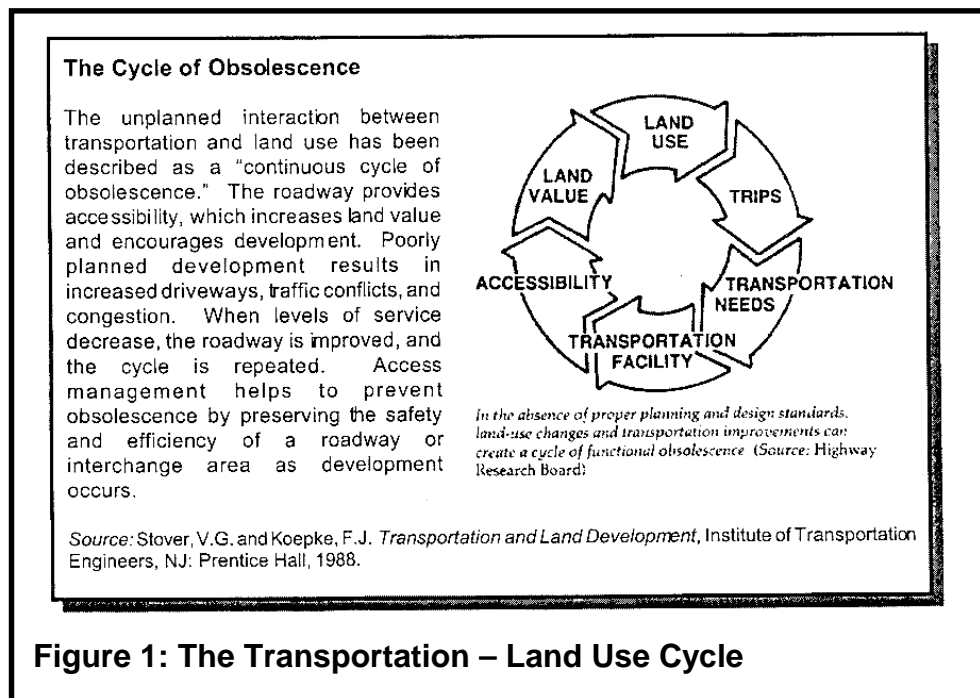


Figure 1: The Transportation – Land Use Cycle

PROCESS

This proposed comprehensive plan policy and development code was developed by staff with Clark County and Washington State Department of Transportation through review of literature from other jurisdictions and consideration of existing County policy. Work Sessions with the Board of County Commissioners were held on May 23, and August 1, 2001. The policy proposed reflects significant review by County legal counsel.

¹ For example, mitigation measures may include those typically proposed in a transportation concurrency analysis – adding turn lanes to ramps – or measures volunteered to reduce the transportation demand of the resulting development, like a trip cap on the total resulting development.

ANALYSIS

Some change in land use is expected with any major transportation investment. A successful plan policy would manage that change in a way that recognizes that resulting impacts on the capacity provided by that major transportation investment.

Comprehensive Plan Policy

The issue of interchange/comprehensive plan consistency appears whenever a transportation planning effort identifies that a new interchange or interchange improvements are needed. It is at that point that the real estate market starts to react to the expected change in accessibility. The proposed policy would require that any proposed land use plan change address and mitigate its likely impacts on the new or improved interchange for any lands in the vicinity of the interchange. Research indicates that a ½-mile radius of the interchange is the area where pressure to change land use encouraged by the interchange investment is likely to occur. It is proposed that this pressure for change be recognized and addressed through the following comprehensive plan language (to be added to “Chapter 3, Transportation Element”):

- 3.5.11 Upon acceptance of a plan (e.g. route development plan, corridor study, subarea plan) by the responsible transportation agency that identifies a new interchange or a significant interchange improvement, any requests for plan amendment within a ½-mile radius of the new or improved interchange shall:
- (1) fully address and mitigate the impacts of that land use change upon the new or improved interchange, and
 - (2) give preference to resulting development that will provide family-wage employment.

In interpreting this proposed policy, “significant interchange improvement” excludes modification to interchange ramps such as extending the storage length of the ramp or adding a turn lane at the ramp terminus but includes moving or reconfiguring a ramp. Ramp widening to include a separated turn lane are typical of improvements that can be accomplished on an interstate highway system interchange without triggering the need for a Federal Highways Administration (FHWA) Access Point Decision Report.

Clark County Code Amendment

To implement the proposed comprehensive plan policy, a change in county code would be needed. Clark County Code Chapter 18.610, Plan Amendment Procedural Ordinance, contains the criteria under which amendments to the comprehensive plan map should be approved. CCC 18.610.070 contains the criteria applied to all map changes while CCC 18.610.080 contains additional criteria that are applied to map changes in the rural area. It is proposed to add CCC 18.610.085, “Additional criteria for interchange areas” as outlined below:

“CCC 18.610.085 Additional criteria for interchange areas

Where a responsible transportation agency has accepted a plan identifying a new interchange or a significant interchange improvement, a map amendment within ½-mile radius of the ramps of the interchange may only be approved if all of the following are met:

- (1) The proponent identifies the impact of the highest development intensity allowed by the requested comprehensive plan designation on the interchange and demonstrates how that impact would be fully mitigated.
- (2) Where applicable, the resulting development maximizes the opportunity for family-wage employment as defined in CCC 12.41.160”

For your convenience, the existing code language of CCC 12.41.160 is attached as Exhibit “A”.

To clarify the interpretation of this code language, the following definition should be added to CCC 18.104:

“18.104.677 Significant Interchange Improvement

For the purposes of CCC 18.610.085, significant interchange improvement shall be the modification of a grade-separated intersection and ramp system that requires a Federal Highways Administration (FHWA) Access Point Decision Report for highways on the federal interstate highway system or that would require such a study for all other highways and county roads if such facilities were subject to such regulation. For example, improvements that are restricted to extending the storage length of a ramp or adding a turn lane at the ramp terminus would not be considered significant; moving or reconfiguring a ramp would be defined as significant for the purposes of CCC 18.610.085.”

CONCLUSIONS

The proposed comprehensive plan policy would serve to place those applicants that may seek land use changes within one-half mile radius of significant interchange investments on notice that changes that may result in negative impacts on those investments will have to be addressed and mitigated. This comprehensive plan policy would allow for land use changes and development in the vicinity of interchanges but requires comprehensive plan amendments to directly consider the transportation impacts that could be created by development subsequent to the plan amendment.

COMMUNITY OUTREACH

Given the timeline for this project, community outreach was restricted to circulating a draft of this staff report to the standing list of contacts maintained by Long Range Planning (“the Planning Commission Interest List” – attached as Exhibit “B”).

Summary of Comments

In response to the Public Review Draft of this staff report, staff received three formal written comments. All of the comments are attached as received as Exhibit “C”.

One of the comments was in opposition to allowing any land use change at interchange locations and questioned why the impacts of land use change on interchanges were not already examined in the process of considering comprehensive plan map changes. Another comment stated that this policy was aimed at approving a new interchange at NE 219th Street and making such an investment was clearly a bad policy decision. The third comment questioned whether the ½-mile area of consideration for the additional map change approval criteria was too small – citing the development occurring near the NE 134th Street interchange outside of the ½-mile radius.

RECOMMENDATION

Staff recommends the Planning Commission favorably endorse this proposal to the Board of County Commissioners for **APPROVAL**.

Attachments:	Exhibit "A"	CCC 12.41.160
	Exhibit "B"	Circulation List
	Exhibit "C"	Written comments received

[PTL:EPD:RJH](#)

[H:\LONG RANGE PLANNING\PROJECTS\T 2001-005 INTERCHANGE LOCATION POLICY\FIRST DRAFT OF STAFF REPORT TO PC - INTERCHANGE LOCATION POLICY.DOC

EXHIBIT "A" CCC 12.41.160

- A. "Threshold family wage" is the income and benefit package needed to support a three (3) person, single-earner family that precludes them from eligibility for supplemental public assistance. The threshold family wage includes a cash wage and a minimum benefit package. The benefit package must be present, but is not generally included in the value of the cash wage. A cash wage that meets the threshold but does not include benefits does not meet the definition.
1. The threshold cash wage is measured by calculating the county's average annual covered wages, plus twenty-five percent (25%). The annual covered wage data is calculated by and shall be obtained from the Washington State Employment Securities Department. "Covered wages" means wages covered under unemployment compensation laws.
 2. To be considered for inclusion in the threshold family wage, a minimum benefit package equal to twelve and one-half (12 1/2%) percent of the average annual covered wage of the industry or actual average annual covered wages of the employees, whichever is lower, must be provided and available. Benefits provided by the employer must include, but are not limited to, an employer-paid health insurance, retirement or defined benefit program and a personal leave program.
 3. Any benefits with a cash equivalent value in excess of seventeen and one-half (17 1/2%) percent of the cash wage may be credited toward cash wage if it falls under the threshold. Excess benefit value may include, but is not limited to, such things as a cafeteria plan, dental, vision, childcare; however, the definition does not include the value of stock options or other investment-based benefits.
- B. Standards.
1. To be eligible for mitigated level of service, an employer or prospective employer or employer group(s) must demonstrate that the median number of all covered wage jobs will meet or exceed the threshold family wage. Family wage jobs may be demonstrated by any of the following methods:
 - (a) Provide written documentation such as payroll history, tax records or other verification, as approved by the development approval authority, that average annual covered wages will meet or exceed the threshold family wage. The covered wages are measured at the company's own established internal thirty-six (36) month level-of-pay scale offered to employees, excluding overtime, in place at the time of application for mitigated level of service; or
 - (b) Provide copy of the three (3) digit Standard Industrial Classification code for the business(es) applying for the mitigated LOS incentive. If the average annual covered wages for the industry classification meet or exceed the threshold family wage, and benefits as defined herein are provided, it is assumed that the employer meets the threshold family wage. The state Employment Securities Department data shall be used to determine compliance with this criteria; or

- (c) Sign a developer agreement to include affirmation of the fact that average annual wages of all on-site industrial or office employers will meet the threshold family wage upon legal occupancy of the building(s); and
- 2. Provide a signed, notarized statement and documentation that a minimum benefit package as prescribed in subsection (A)(2) of this section is provided and available to all regular full-time employees.
- C. Director Obligations. The threshold family wage shall be updated annually in the county code by the director of community development or designee upon publication of the average annual covered wages for Clark County by the Employment Security Department.
- D. Enforcement.
 - 1. At the time of annual update of the threshold family wage data, each recipient of mitigated LOS standard shall be reviewed for compliance with the threshold family wage criteria. This review shall include all employers who have had continuous occupancy of their development for a period of at least thirty-six (36) months and who have not been released from the requirements of this code section. The review shall take place for five (5) consecutive years including the first thirty-six (36) month review. The review shall consist of confirmation with the Washington State Employment Security Department that reported average annual covered wages for the past year meets or exceeds the threshold family wage.
 - 2. If, after thirty-six (36) months after the date of certificate of occupancy of a building or addition thereto, or as specified in a developer agreement, the recipient fails to meet the threshold family wage for the median of all thirty-six (36) month level-of-pay scale covered wage workers, the developer/employer shall pay a monetary penalty to the county. The penalty moneys shall then be used by the county to improve public roadways and intersections in the vicinity of the development. The amount of the penalty will be calculated as the difference between the threshold family wage required to satisfy the mitigated LOS eligibility standard and the actual average wage paid by the employer, multiplied by the total number of covered wage workers of the employer. This amount will then be increased by fifty percent (50%) and interest added consistent with RCW 82.02.020. The total amount added together will be considered as the amount of the penalty.
 - 3. If the threshold family is not met after the annual reviews, the penalty shall be as follows:
 - Third year: one hundred percent (100%) of the amount calculated in subsection (D)(2) above;
 - Fourth year: eighty percent (80%) of the amount calculated in subsection (D)(2) above;
 - Fifth year: seventy percent (70%) of the amount calculated in subsection (D)(2) above;

Sixth year: sixty percent (60%) of the amount calculated in subsection (D)(2) above;

Seventh year: fifty percent (50%) of the amount calculated in subsection (D)(2) above;

- D. Expenditure of Funds. The penalty funds shall be expended or encumbered for a permissible use within five (5) years of receipt, consistent with RCW 82.02.020. (Sec. 1 (Exh. A) of Ord. 2000-10-03)

EXHIBIT "B" CIRCULATION LIST

The following list of people and organizations were mailed a draft of this report for comment:

Phil Wuest City of Vancouver	Robert Morris c/o MacDonald Excavating
John W. White Evergreen East Neighborhood Assoc.	Michael Mills
Margo West	Dale Miller Clark County Community Dev.
Lee Wells Ridgefield Junction N. A.	Alison J. Mielke Friends of Clark County
Christine Wamsley Port of Vancouver	Dan Middleton WSCO Petroleum
LeRoy Walter Three Star Realty	Peter McWilliams
Vern Veysey	Leonard P. Mattson
Bud Van Cleve N. E. Hazel Dell N.A.	Alex W. Mattila
Lynn Valenter WSU - Finance & Operations	Avril Massey N. Salmon Creek N.A.
Billee Sunderland	Carl Mason Mason/Associates
Robert Sullivan	Jim Malinowski Clark County Citizens United
Art Stubbs Neighborhood Adv. Comm. of CC	Doug Maas Chamber of Commerce
Kathy Steiger Cedars Neighborhood Assoc.	Rich Lowry Clark Co. Prosecutor's Office
Read Stapleton WRG Design, Inc.	Carol Levanen
Glenda Stamps CC Long Range Planning	Ned Langford Langford & Associates
John K. & Betty Spence	Michael Lang Friends of Columbia Gorge
Carla Sowder SW WA Health District	Paul Lacy Lacy Engineering
Paul Sorenson N. Fork Lewis River NA	Barbara Krohn Barbara Krohn & Associates
Karin Shinseki AT&T News 26:Assgmt Desk	Marilyn Koenninger
Lisa Hix- Shaw City of Vancouver	John Karpinski Clark Co. Natural Res. Council
Ben Shafton Morse & Bratt	Todd Johnson Olson Engineering
James L Sellers Sellers & Jacobs	Marlia Jenkins Clark County Comm. Services
Bridget Schwarz Fairgrounds Neighborhood Assoc..	Don Jenkins Daily News formerly Lewis Riv News
Sandy Schwary	Addison Jacobs Responsible Growth Forum
David Schmitke KOIN News Center 6	Bill Huyette Premier Investment Corp
Robert Schaefer Blair Schaefer Hutchison & Wolfe	Bob Hutton Clark County Water Quality
Cliff Rutan Rutan Construction	Lisa Hunter MacKay & Sposito, Inc.
Dale Robins Maple Tree Neighborhood Assoc.	Richard T. Howsley Richard Howsley Attorney at Law
Emil F. & Helen Riemer	Chris Horne Clark County P.A.
Rich Riegel Daily Journal of Commerce	Wally Hornberger Coldwell Banker Commercial
Louise Richards Board of Commissioners	Steve Horenstein Miller Nash
Sam & Julia Richard Daybreak Neighborhood Assoc.	Jocelyn Holland Glenwood Hills Neighborhood Assoc.
Clayton Rhodes Cougar Creek Neigh. Assoc.	Cecille Hill Pleasant Highlands NA
Ian H. Ray Lacamas-Matney Neighborhood	Wuanita M. Herron
Ruth M. Queirolo Greater Brush Prairie NA	Michael Herr
Randall B Printz Landerholm,Memovich et al	Della (Kemp) Helmick West Hazel Dell Neigh. Assoc.
Bart B. Phillips PBS Environmental	Donna Helm Hazel Dell Hollow N.A.
Bart A. Phillips CREDC (Col. Riv. Econ. Dev. Council	Brenda Harmsen Burton Evergreen N A
Theresa Pauletto	Don Hardy JD White Company
Donita Parker Sunnyside Neigh. Assoc.	Gus Harb Harb Engineering
Oliver Orjiako Clark County Comm. Dev.	Harold Hansen Meadow Glade Neighborhood
Robert /Kathleen Oring	Ken Hadley
Beth Oberg Prairie Highlands N.A.	Kevin Gray Clark Co. Public Works
Niedra North Clark County Homebuilders Assoc.	Susan Gilbert Enterprise/Paradise Point NA
Pam Neal CREDC (Col. Riv. Econ. Dev. Council	Holly Gaya Clark County
Barbara Murray Roads End Neighborhood Assoc.	Otto Gaither Gaither & Sons Construction
	Eric Fuller Eric Fuller & Associates

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Evan Dust Clark County Comm. Dev.
Dick Durland Sherwood Hills Neighborhood Assoc.
Robert Dreyfuss
W. Dale DeTour CC Airport Owners & Mngrs.
Assoc.
Tamara DeRidder City of Vancouver
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Jim Demmon CVTV City County Cable
Steve Dearborn Miller Nash LLP
Curtis Cushman
Mike Crist Green Meadows N.A.
Bonnie Crawford Ramblin' Ck Estates/SS Ck. NA
Bryan Cowan Clark County
Foster Church Oregonian ATTN: News Room
Jan Christ Heritage Neighborhood Association
Rich Carson Clark County Comm. Development
Lynn Carman Clark County Citizens in Action
Pete Capell Clark County Public Works
David R. Campbell SW WA Comm Association
Jim Cameron Washougal River Neighborhood
Jack Burkman City of Vancouver
LeAnne M. Bremer Miller Nash
Jack Bremer Concerned Cit. of Hockinson NA
Steve Bratt

Mark Bowyer CVTV City County Cable
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Chuck Blum** Daily News formerly Lewis Riv News
Tracy Blehm Barberton Neighborhood Assoc.
Chris Bernhardt WRG Design, Inc.
David Benedictus Truman Neighborhood Assoc.
Steve Barton
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Marnie Allen Preston Gates Ellis LLP
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City of Ridgefield
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Port of Ridgefield
One Pacific Corporation
KVAN 1550
Journal of Commerce
C-TRAN
Columbian - Gov't Reporter
Clark County Homebuilders Assoc.
City of Woodland
City of Washougal
City of La Center
City of Camas

EXHIBIT “C” WRITTEN PUBLIC COMMENTS RECEIVED

The following are the written public comments received by close of business on July 30, 2001.